

**STATE OF MICHIGAN  
DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH  
OFFICE OF FINANCIAL AND INSURANCE REGULATION**

**Before the Commissioner of the Office of Financial and Insurance Regulation**

**In the Matter of:**

**Fender Bender Insurance Agency LLC**

**Enforcement Case No. 09-7116**

**Respondent**  
\_\_\_\_\_ /

Issued and entered  
On February 25, 2009  
by Stephen R. Hilker  
Chief Deputy Commissioner

**ORDER TO CEASE AND DESIST**

The Office of Financial and Insurance Regulation (OFIR) of the Michigan Department of Labor & Economic Growth, pursuant to the Administrative Procedures Act of 1969, 1969 PA 306, as amended; MCL 24.201 *et seq.*; the Michigan Insurance Code ("Code"), 1956 PA 218, as amended; MCL 500.100 *et seq.* (Code), and the rules promulgated under the Code, says that:

**I  
BACKGROUND**

1. At all times pertinent to the matter herein, Fender Bender Insurance Agency LLC ("Respondent") was a registered domestic limited liability company in the State of Michigan, with a registered office address located at 14500 Chelsea, Detroit, Michigan 48213.
2. At all times pertinent to the matter herein, Respondent had a mailing address of P.O. Box 13527, Detroit, Michigan 48213.
3. At all times pertinent to the matter herein, Respondent was not licensed by OFIR as an insurance agency or as an insurance company to conduct the business of insurance in the State of Michigan.
4. OFIR received information which indicates that Respondent is conducting transactions of insurance for which a certificate of authority is required by the Commissioner, without having obtained a certificate of authority. Specifically, Respondent has engaged in the act or practice of issuing certificates of insurance in the State of Michigan.

## II CONCLUSIONS OF LAW

WHEREAS, Section 251 of the Code, MCL 500.251, states that in the reasonable exercise of discretion, the Commissioner may issue a cease and desist order if the Commissioner finds any of the following:

- (a) A person is conducting transactions of insurance for which a certificate of authority is required by this act without having obtained a certificate of authority.
- (b) A person is acting as an insurance agent, solicitor, adjuster, or counselor without a license as required by this act.
- (c) A person is engaged in an act or practice in the business of insurance for which authority from or notification to the Commissioner is required by this act and the person has not received authority or given notification; and

WHEREAS, the Commissioner finds that a person must be licensed under Section 1201a of the Code, MCL 500.1201a, in order to act as an insurance producer; and

WHEREAS, the Commissioner finds that a person must be licensed under Section 402 of the Code, MCL 500.402, in order to conduct transactions of insurance; and

WHEREAS, the records of OFIR disclose that Respondent is not licensed under Section 402 of the Code to conduct transactions of insurance in the State of Michigan; and

WHEREAS, the records of OFIR disclose that Respondent is not licensed under Section 1201a of the Code in order to act as an insurance producer in the State of Michigan; and

WHEREAS, the Commissioner finds that Respondent is violating Section 4503 of the Code, MCL 500.4503, by committing fraudulent insurance acts; and

WHEREAS, based on the foregoing, the Commissioner finds that Respondent is engaged in acts and practices that violate the Code; and

WHEREAS, the Commissioner finds this action necessary and appropriate in the public interest for the protection of the public and consistent with the purposes fairly intended by the policy and provisions of the Code.

IT IS FURTHER ORDERED, pursuant to Section 251 of the Code, that Respondent shall immediately **CEASE AND DESIST** from violating Sections 402 and 1201a of the Code by conducting transactions of insurance in the State of Michigan.

IT IS FURTHER ORDERED, pursuant to Section 251 of the Code, that Respondent shall immediately **CEASE AND DESIST** from violating Section 4503 of the Code by committing fraudulent insurance acts.

A person who violates or otherwise fails to comply with a cease and desist order is subject to a civil fine of not more than \$1,000.00 for each violation not to exceed an aggregate civil fine of \$30,000.00. However, if the person knew or reasonably should have known the person was in violation of the order, payment of a civil fine of not more than \$25,000.00 for each violation not to exceed an aggregate civil fine of \$250,000.00. The Commissioner may also recover reasonable attorney fees if judicial action is necessary for enforcement of a cease and desist order under this section.

A person who is the subject of a cease and desist order may contest the order by requesting a hearing before the Commissioner not later than 30 days after the order is delivered or mailed to the person. Within 10 days after receiving the request, the Commissioner shall commence a hearing in accordance with the administrative procedures act of 1969, Act No. 306 of the Public Acts of 1969. Pending the hearing, the cease and desist order continues in full force and effect unless the order is stayed by the Commissioner. Any request for a hearing should be addressed to: the Office of Financial and Insurance Regulation, attention: Hearing Coordinator Dawn Kobus, P.O. Box 30220, Lansing, Michigan 48909.

MICHIGAN DEPARTMENT OF ENERGY,  
LABOR AND ECONOMIC GROWTH

By: Stephen R Hilker  
Stephen R. Hilker,  
Chief Deputy Commissioner  
Office of Financial and Insurance Regulation